| 1 | MELINDA HAAG (CABN 132612) United States Attorney MIRANDA KANE (CABN 150630) Chief, Criminal Division | | |
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| 4 | BRIAN C. LEWIS (DCBN 476851) Assistant United States Attorney | | |
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| 7 | Telephone: (510) 637-3680 Facsimile: (510) 637-3724 | | |
| 8 | E-Mail: brian.lewis@usdoj.gov | | |
| 9 | Attorneys for the United States of America | | |
| 10 | | | |
| 11 | UNITED STATES DISTRICT COURT | | |
| 12 | NORTHERN DISTRICT OF CALIFORNIA | | |
| 13 | OAKLAND DIVISION | | |
| 14 | UNITED STATES OF AMERICA,) No. CR 11-0522 SBA | | |
| 15 | Plaintiff, | | |
| |) STIPULATION AND ORDER | | |
| 16 17 | v.) VACATING EVIDENTIARY HEARING AND SETTING CASE FOR SENTENCING AT 10:00 A.M. ON | | |
| |) JUNE 13, 2012 | | |
| 18 | Defendant.) | | |
| 19 |) | | |
| 20 | The parties are currently scheduled to appear before this Court on June 13, 2012, at 1:00 | | |
| 21 | p.m. for sentencing and an evidentiary hearing concerning a disputed sentencing enhancement. | | |
| 22 | The United States has now withdrawn its request that the Court impose the disputed sentencing | | |
| 23 | enhancement. Accordingly, the parties agree that an evidentiary hearing is unwarranted. The | | |
| 24 | parties will argue sentencing based on the undisputed PSR and the parties' sentencing | | |
| 25 | memoranda. For these reasons, with the agreement of counsel for both parties and the defendant, | | |
| 26 | the parties now stipulate and ask the Court to find and hold as follows: | | |
| 27 | 1. The evidentiary hearing in this matter set for June 13, 2012, at 1:00 p.m. is | | |
| 28 | VACATED. | | |
| | ORDER VACATING EVID. HR'G AND SETTING CASE FOR SENTENCING CR 11-0329 SBA | | |

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| 1 | 2. This matter shall be set for judgment and sentencing before this Court on June 13, | | |
|----------|---------------------------------------------------------------------------------------|------------------------------|--|
| 2 | 2012, at 10:00 a.m. | | |
| 3 | IT IS SO STIPULATED. | | |
| 4 | | | |
| 5 | DATED: June 7, 2012 | /s/ GELA HANSEN | |
| 6 | Cour | nsel for Jamar Maddox | |
| 7 | | | |
| 8 | DATED: June 7, 2012 BRL | AN C. LEWIS | |
| 9 | Assi | stant United States Attorney | |
| 10 | IT IS SO ORDERED. | | |
| 11 | | 1 | |
| 12 | SAU | | |
| 13 | | ed States District Judge | |
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| | ORDER VACATING EVID. HR'G AND SETTING CASE FOR SENTENCING | | |